

IFW
\$



500.40705CX1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Y. TAKAHASHI, et al
Serial No.: 10/784,274
Filed: February 24, 2004
For: LOGIC CIRCUIT MODULE HAVING POWER CONSUMPTION
CONTROL INTERFACE AND A RECORDING MEDIUM
STORING THE MODULE
Group: 2819
Examiner: D. P. Le

RESPONSE

MS Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 21, 2005

Sir:

The present application has pending claims 1 and 2.

Claims 1 and 2 stand rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-9 of prior Patent No. 6,717,434. Applicants do not agree with this rejection. However, in order to expedite prosecution of the present application filed on even date herewith is a Terminal Disclaimer obviating this rejection. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

It should be noted that the filing of the Terminal Disclaimer was not intended nor should it be considered as an agreement on Applicants' part that

the features of the present invention recited in claims 1 and 2 are taught or suggested by claims 1-9 of the prior patent. The filing of the Terminal Disclaimer was simply intended to expedite prosecution of the present application.

Since no other rejections are outstanding with respect to claims 1 and 2, Applicants submit that overcoming the above described rejection under the judicially created doctrine of obviousness type double patenting places the application in condition for allowance. Accordingly, early allowance of the present application based on claims 1 and 2 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.40705CX1).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 684-1120